

# Order

**Michigan Supreme Court  
Lansing, Michigan**

April 24, 2007

Clifford W. Taylor,  
Chief Justice

132616 & (16)

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 132616  
COA: 270185  
Ingham CC: 97-072941-FH

DANIEL RAY WITHERELL,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the November 9, 2006 order of the Court of Appeals is considered, and it is DENIED, because the defendant has failed to meet the burden of establishing entitlement to relief under MCR 6.508(D). The motion to remand is DENIED.



d0416

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

April 24, 2007

*Corbin R. Davis*

Clerk